

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

OBA OLDUMARE  
MUGABE ELOHIM  
F/K/A ANTOINE FORD

Civil Action No.: 21-50247  
Honorable Paul D. Borman  
Magistrate Judge Elizabeth A. Stafford

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**REPORT AND RECOMMENDATION TO *SUA SPONTE* DISMISS  
ACTION FOR LACK OF SUBJECT MATTER JURISDICTION**

Pro se plaintiff Oba Oldumare Mugabe Elohim, formerly known as Antoine Ford, a Michigan prisoner, initiated this proceeding against Fidelity Investments. ECF No. 1.<sup>1</sup> The Honorable Paul D. Borman referred the case to the undersigned for all pretrial matters under 28 U.S.C. § 636(b)(1). ECF No. 2.

**I. Background**

Elohim filed a “Bill of Equity”<sup>2</sup> along with various nonsensical attachments. ECF No. 1. These documents are all signed “Oba El

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<sup>1</sup> The summons submitted by Elohim was never issued by the Clerk of the Court, which docketed the matter as a miscellaneous case. Thus, defendant has not been served. ECF No. 1.

<sup>2</sup> The Court deems this document, which commenced the action, as a

Olodumare Mugabe Montsho Omorede, Annunaki Elohim, King of the Omorede Tribe of North America, Private American, in capacity of Foreign Minister Plenipotentiary and Trustee of the Omorede Tribe Trust, Authorized Representative of Antoine D. Ford,” and are affixed with a hand drawn self-eating snake labeled the seal of the Omorede Tribe of North America. *Id.* He seeks to enforce against Fidelity Investments the purported terms of the Omorede Tribe Trust “to discharge, settle, extinguish, pay such issues required to settle and satisfy all liability and granted and conveyed such issues as to satisfy case account 01-08438-FH.” *Id.*, PageID.5. The number 01-08438-FH refers to the State of Michigan’s criminal judgment against Elohim; he was convicted of prostitution, pandering, and child sexual abuse. ECF No. 1, PageID.26.

## **II. Analysis**

A plaintiff must show that the court has “original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States,” or that jurisdiction is proper because of the diversity of citizenship of the parties. 28 U.S.C. §§ 1331, 1332. “Questions of jurisdiction are

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complaint under Federal Rule of Civil Procedure 3, notwithstanding the antiquated title used by plaintiff.

fundamental matters” that a court should “review sua sponte.” *Berger v. Cuyahoga Cty. Bar Ass’n*, 983 F.2d 718, 721 (6th Cir. 1993).

Elohim appears to assert federal question jurisdiction; he cites the Judicature Act of 1873;<sup>3</sup> the Debt Relief Act of 1793, and the Trading with the Enemy Act of 1917 as the bases for this Court’s jurisdiction. ECF No. 1, PageID.7. “Federal courts lack subject-matter jurisdiction when an asserted federal claim is so insubstantial, implausible, foreclosed by prior decisions of this Court, or otherwise completely devoid of merit as not to involve a federal controversy.” *Arthur Andersen LLP v. Carlisle*, 556 U.S. 624, 629 (2009) (citation and quotation marks omitted). And though courts give a more liberal reading to pleadings filed by pro se litigants than to those drafted by lawyers, a pro se complaint still must plead facts showing that Court has jurisdiction. *Christenberry v. White*, No. 3:20-CV-176-TAV-DCP, 2020 WL 6371174, at \*3 (E.D. Tenn. Oct. 29, 2020).

Elohim does not plead facts showing that the Court has jurisdiction. No federal question jurisdiction, nor even a logical connection between Fidelity and his criminal judgment, can be discerned from the Elohim’s

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<sup>3</sup> This act of Parliament reorganized and restructured the British court system. <https://www.parliament.uk/about/living-heritage/transformingsociety/laworder/court/overview/judicatureacts/>, last viewed September 30, 2021.

allegations. Even liberally construed, his claims are “completely devoid of merit as not to involve a federal controversy.” *Arthur Andersen*, 556 U.S. at 629.

### III. Conclusion

The Court recommends that Elohim’s lawsuit be **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

s/Elizabeth A. Stafford  
ELIZABETH A. STAFFORD  
United States Magistrate Judge

Dated: October 6, 2021

### **NOTICE TO THE PARTIES REGARDING OBJECTIONS**

Either party to this action may object to and seek review of this Report and Recommendation, but must act within fourteen days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Secretary of HHS*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Filing objections which raise some issues but fail to raise others with specificity will not preserve all objections that party might have to this Report and Recommendation. *Willis v. Secretary of*

*HHS*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). A copy of any objection must be served upon this Magistrate Judge. E.D. Mich. LR 72.1(d)(2).

Each **objection must be labeled** as “Objection #1,” “Objection #2,” etc., and **must specify** precisely the provision of this Report and Recommendation to which it pertains. Not later than fourteen days after service of objections, **the non-objecting party must file a response** to the objections, specifically addressing each issue raised in the objections in the same order and labeled as “Response to Objection #1,” “Response to Objection #2,” etc. The response must be **concise and proportionate in length and complexity to the objections**, but there is otherwise no page limitation. If the Court determines that any objections are without merit, it may rule without awaiting the response.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court’s ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 6, 2021.

s/Marlena Williams  
MARLENA WILLIAMS  
Case Manager